



# भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

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PART II — Section 2

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।  
Separate paging is given to this Part in order that it may be filed as a separate compilation.

## LOK SABHA

The following Bills were introduced in the Lok Sabha on 9th December, 2005:—

### BILL No. 135 OF 2005

*A Bill further to amend the Constitution of India.*

BE it enacted by Parliament in the Fifty-sixth Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Amendment) Act, 2005.

Short title.

2. After article 262 of the Constitution, the following article shall be inserted, namely:—

Insertion of  
new article  
262A.

“262A. (1) Notwithstanding anything in this Constitution, all inter-State rivers shall be under the exclusive jurisdiction of the Government of India and no State shall have any control on any inter-State river.

(2) It shall be duty of the Government of India to link all inter-State rivers in the country at the earliest.

Inter-linking  
of inter-State  
rivers.

(3) The Government of India shall constitute an Expert Committee consisting of five members who are experts in the fields of Water Resources, Irrigation, Electricity, Rural Development and Agriculture for making recommendations regarding equitable distribution of inter-State river waters among the States till the time all the Inter-State rivers in country are linked.

(4) The salary, allowances, terms of appointment and conditions of service of the members of the Expert Committee shall be such as may be prescribed by Parliament by law.

(5) The Government of India shall make available necessary officers and staff for the functioning of the Expert Committee.

*Explanation.*—For the purpose of this article, “inter-State river” includes any river which originates in one State and flows into another State or States and also includes a tributary.

### STATEMENT OF OBJECTS AND REASONS

Most of the major rivers in India are inter-State in character, having basins in two or more States. Every State tries to utilize as much water as it can. Often disputes arise amongst States with regard to the utilisation of water particularly for irrigation. These water related disputes are emerging as one of the most important issues so far as inter-State relations are concerned having a bearing on the integrity of the nation. A number of such disputes are pending for disposal in various tribunals as well as in the Supreme Court. Since water is a very emotive issue and the need of States for water is also acute, the litigation is affecting the farming sector as well.

In our country many States are water surplus and every year vast quantity of water goes waste when the same could have been used for irrigation and other requirements of States which are water deficit. To avoid such a situation the linking of all rivers is imperative. It can be done only when all inter-State rivers are brought under the exclusive jurisdiction of the Central Government. Till such time all major rivers are inter-linked and a national water grid is formed, the river water can be allocated amongst the States on the basis of recommendations of an Expert Committee to be appointed by the Central Government.

The Bill seeks to achieve the above objective.

NEW DELHI;  
November 7, 2005.

K.S. RAO

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### FINANCIAL MEMORANDUM

Clause 2 of the Bill provides for inter-linking of all major rivers in the country. It further provides for constitution of an Expert Committee for equitable distribution of water of inter-State rivers amongst the States. It is difficult to estimate the expenditure to be involved. However, it is estimated that an annual expenditure of rupees ten thousand crore is likely to be involved from the Consolidated Fund of India.

A non-recurring expenditure of about two lakh crore is also likely to be involved for inter-linking of inter-State rivers.

## BILL No. 136 OF 2005

*A Bill to provide for infrastructural facilities in all educational institutions in the country and for matters connected therewith.*

BE it enacted by Parliament in the Fifty-sixth Year of the Republic of India as follows:—

Short title,  
extent and  
commencement.

1. (1) This Act may be called the Provision of Infrastructural Facilities in All Educational Institutions Act, 2005.

(2) It extends to the whole of India.

(3) It shall come into force at once.

Definitions.

2. In this Act, unless the context otherwise requires,—

(i) 'appropriate Government' means a State Government or the Union Territory administration, as the case may be;

(ii) 'educational institution' includes any educational institution, whether run by appropriate Government or any organisation receiving aid out of the consolidated funds of the appropriate State Government and includes any institution whether imparting primary, secondary, higher or technical education but does not include any institution which is privately managed.

(iii) 'infrastructural facilities' means and includes,—

(A) in respect of educational institutions imparting primary and middle level education:—

- (a) permanent structure;
- (b) necessary furniture and black board;
- (c) drinking water;
- (d) play ground; and
- (e) toilet facilities.

(B) in respect of higher secondary and technical institutions:—

- (a) permanent structure;
- (b) necessary furniture;
- (c) drinking water and toilet facilities;
- (d) play ground;
- (e) library;
- (f) at least one computer for every 10 students;
- (g) fully equipped laboratories;
- (h) hostel facilities with boarding; and
- (i) canteen facility.

Provided that keeping in view the geographical location or other factors, the appropriate Government may request for more infrastructural facilities in schools imparting primary and middle level education.

3. (1) The appropriate Government shall conduct a survey of all educational institutions within its jurisdiction and prepare a list of educational institutions not having the requisite infrastructural facilities.

Appropriate Government to conduct survey of all institutions.

(2) The appropriate Government shall, as soon as possible but not later than six months from the date of commencement of this Act, send the list of educational institutions within its jurisdiction not having the requisite infrastructural facilities to the Central Government.

4. (1) The Central Government shall, on receipt of the list from the appropriate Government under section 3, provide the appropriate Government the funds for providing infrastructural facilities in the educational institutions.

Central Government to provide funds to appropriate Governments.

(2) While releasing the funds, the Central Government may ask for such information as it deems necessary from the appropriate Government and release the subsequent instalments on receipt of utilisation certificate of the funds released earlier from the appropriate Government.

5. (1) The Central Government shall constitute a Fund to be known as Educational Institutions Upgradation Fund to which the Central Government may contribute such sums as may be authorised by Parliament by law and such other sums as may be received by way of donation, contribution or assistance by the Central Government or appropriate Government shall also be credited to the Fund.

Educational Institutions Upgradation Fund.

(2) All expenditure in connection with the implementation of the provisions of this Act shall be met out of the Fund.

Power to make  
rules.

6. The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

### STATEMENT OF OBJECTS AND REASONS

Lakhs of schools and educational institutions, whether run by Government or receiving funds from the Government are in a very bad shape. They do not even have basic infrastructural facilities like permanent structure, furniture, drinking water, etc. Schools imparting higher education or technical education do not have library and computer facilities. State Governments are not in a position to bear the expenditure.

Therefore, it is proposed that the Central Government shall bear the expenditure on upgradation and provision of basic facilities in all educational institutions. When primary education has been made a fundamental right, no purpose will be served if schools do not have adequate facilities.

The Bill seeks to achieve the above objective.

NEW DELHI;  
November 7, 2005.

K.S. RAO

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### FINANCIAL MEMORANDUM

Clause 4 of the Bill seeks to provide that the Central Government shall provide funds for infrastructural facilities in all educational institutions in the country. Clause 5 provides for setting up of Educational Institutions Upgradation Fund. Therefore, the Bill, if enacted will involve expenditure from the Consolidated Fund of India. It is likely that an annual recurring expenditure of about rupees five thousand crore may be incurred.

A non-recurring expenditure of about rupees fifty thousand crore is also likely to be involved.

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### MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 6 of the Bill empowers the Government to make rules for carrying out the purposes of this Bill. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

## BILL NO. 139 OF 2005

*A Bill to provide for timely completion of mega projects and for matters connected therewith or incidental thereto.*

BE it enacted by Parliament in the Fifty-sixth Year of the Republic of India as follows:—

Short title,  
extent and  
commencement.

1. (1) This Act may be called the Mega Projects (Timely Completion) Act, 2005.

(2) It extends to the whole of India.

(3) It shall come into force at once.

Definitions.

2. In this Act, unless the context otherwise requires,—

(i) 'mega project' means and includes any project which has been undertaken by the Central Government either on its own or as a joint venture with any State Government

or a Corporation or a Company or a private limited company for setting up of any industry or construction of any dam, irrigation scheme or roads or any communication facility or power project or any other developmental scheme for the welfare of the public in any part of the country or where the major share of the expenses on the project is borne by the Central Government and where the cost of project exceeds fifty crore rupees;

(ii) 'prescribed' means prescribed by rules made under the Act.

3. The Central Government shall prepare a list of mega projects pending with all Ministries and departments of the Central Government including public sector undertakings under its control.

Preparation of list of pending mega projects.

4. (1) The Central Government shall constitute a Committee to be known as the Project Monitoring Committee (hereinafter referred to as the Committee) to monitor the progress of implementation and completion of mega projects.

Constitution of a Committee to be known as the Project Monitoring Committee.

(2) The Project Monitoring Committee shall consist of the following:—

(i) the Deputy Chairman, Planning Commission who shall be the Convener of the Committee;

(ii) Secretaries of the Central Ministries of Finance, Industry, Road Transport, Shipping, Civil Aviation, Energy and Agriculture;

(iii) any other Minister or Secretary of the Central Government or of a State Government who may be invited by the Convener of the Committee to attend the sittings of the Committee;

(iv) members, as may be deemed necessary, to be nominated by the Central Government from amongst the persons who are experts in the fields of Agriculture, Energy, Water Resources, Industry, Civil Aviation, Transport and Shipping.

5. On and from the date of the commencement of this Act, the Committee shall review the progress of the implementation of all the mega projects and fix a target date for completion of each of such projects.

Review of the progress of the implementation of the mega projects in the country.

6. The Committee shall meet once in a month and review the progress of the work of the pending mega projects.

Meeting of the Committee.

7. The Central Government shall, on the basis of the recommendation of the Committee, release necessary funds for completion of a mega project.

Central Government to provide fund for completion of the mega project.

8. The Central Government shall ensure timely completion of all mega projects within the time schedule fixed by the Committee:

Timely completion of mega projects.

Provided that if any mega project is not completed within the time schedule, due to any reason beyond the control of the Central Government, the Central Government shall record the reasons thereof.

9. If any project is not completed within the time schedule, except the reasons beyond control, the officer-in-charge of the mega project shall be held responsible for delay and shall be subject to such action as may be prescribed by the Central Government.

Fixing responsibility for delay in completion of mega project.

Central  
Government to  
lay report on  
action taken in  
the House.

10. The Central Government shall cause the annual report together with a memorandum of action taken on the recommendations contained therein, insofar as they relate to the Central Government and the reasons for non-implementation, if any, of any of such recommendations of the Committee to be laid as soon as may be after the reports are received, before each House of Parliament.

Power to  
make rules.

11. The Central Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.

### STATEMENT OF OBJECTS AND REASONS

Development is the buzzword today in emerging India, even as the country resolves to build an economically stronger, more efficient set up which is devoid of bureaucratic delays.

Mega projects popularly known as infrastructure projects are started with much pomp and show. But they are hardly completed in time. The estimated cost of project always overrun for the simple reason that the projects are not completed within the target date. In many cases, the escalation in cost of projects results in manifold expenditure and loss to the public exchequer. Time and cost overruns in projects in the environment of uncertainties, inadequate funding, delay in land acquisition, law and order problems, general escalation in costs, etc. are required to be eliminated altogether.

At present, there is no mechanism to supervise the progress of the completion of mega projects. Moreover, for many projects necessary funds are not released by the Central Government. As a result, the projects are held up.

Therefore, in order to ensure timely completion of all projects, it is proposed to provide a mechanism at the bureaucratic level and also accountability of the executive to the legislature.

The Bill seeks to achieve the above objective.

NEW DELHI;  
November 7, 2005

K.S. RAO

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### FINANCIAL MEMORANDUM

Clause 4 of the Bill seeks to provide for the setting up of a Committee to monitor the progress of implementation and timely completion of mega projects. Most of the members on the Committee will be Government functionaries, but a few experts in the fields of agriculture, energy, etc. are to be associated with the Committee. Clause 7 provides for release of necessary funds by the Central Government for completion of all mega projects. The Bill, therefore, if enacted will involve expenditure from the Consolidated Fund of India. It is likely to involve an annual recurring expenditure of about rupees ten thousand crore from the Consolidated Fund of India.

A non-recurring expenditure of about rupees twenty five thousand crore will also be involved.

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### MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 11 of the Bill empowers the Government to make rules for carrying out the purposes of the Bill. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

## BILL NO. 133 OF 2005

*A Bill further to amend the Constitution of India.*

BE it enacted by Parliament in the Fifty-sixth Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Constitution (Amendment) Act, 2005.

Insertion of  
new article  
51B.

2. In Part IVA of the Constitution, after article 51A, the following article shall be inserted, namely:—

Duty of  
candidates  
and political  
parties during  
elections.

" 51B. It shall be the duty of every political party and candidate, whether such candidate is set up by any political party or not, to ensure that votes are not sought in the name of any religion, religious symbol or by inciting religious feelings of the people in any election to the House of the People or Legislative Assembly of a State or Union territory or any local body."

## STATEMENT OF OBJECTS AND REASONS

It has been observed that during elections, some political parties and candidates seek votes in the name of religion or by inciting religious feelings. It will have an adverse effect on the society if such trend continues. It is, therefore, necessary to check such moves by amending the Constitution.

It is, accordingly, proposed to make it the fundamental duty of every political party and candidates, to ensure that votes are not sought by them in any election in the name of religion or by inciting religious feelings. Although the violation of the duty is not punishable under the existing system of Constitution, the political parties and candidates will be morally bound by such provision in the Constitution.

The Bill seeks to achieve the above objective.

NEW DELHI;  
*November 7, 2005.*

MOHAN SINGH

## BILL NO. 132 OF 2005

*A Bill further to amend the Constitution of India.*

BE it enacted by Parliament in the Fifty-sixth Year of the Republic of India as follows:—

Short title.

1. (1) This Act may be called the Constitution (Amendment) Act, 2005.

Amendment  
of article 174.

2. In article 174 of the Constitution, in clause (1), for the words “six months”, the words “three months” shall be substituted.

## STATEMENT OF OBJECTS AND REASONS

At present, as per the provisions of the Constitution, there can be a gap of six-months between the last sitting of a session and the date appointed for its first sitting in the next session of the State Legislature. However, it has been seen that the sessions of the State Legislature are not being held regularly. Taking advantage of the long gap, the State Governments are functioning arbitrarily thereby ignoring the basic principle of responsibility to the State Legislature. As the sessions of the State Legislature are not being held regularly, the issues concerning the States which should have been raised in the concerned State Legislature are being raised in Parliament.

To ensure regularity in holding sessions and make the State Governments more responsible to the Legislatures, it is suggested that the gap between two sessions of the State Legislatures should not exceed three months.

The Bill, accordingly, seeks to amend the Constitution.

NEW DELHI;  
*November 7, 2005.*

MOHAN SINGH

## BILL NO. 134 OF 2005

*A Bill further to amend the Constitution of India.*

BE it enacted by Parliament in the Fifty-sixth Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Constitution (Amendment) Act, 2005.

Amendment  
of article 158.

2. In article 158 of the Constitution, after clause (2), the following clause shall be inserted, namely:—

"(2A) The Governor shall not hold office of the Chancellor of any University or any other institution of higher education."

## STATEMENT OF OBJECTS AND REASONS

There is a Council of Ministers at the State level to aid and advise the Governor in the discharge of his functions pertaining to a State. All the functions of a State are discharged by the Council of Ministers in the name of the Governor. The Governor is also designated as Chancellor of Universities in some States. But, in fact, this work is performed by the Council of Ministers while the Governor only puts down his signature. The actions of the Governor as Chancellor cannot be condemned, criticised or questioned. Hence, to maintain the dignity of the office of the Governor and to keep him above all controversies in relation to Universities, it is proposed that the Governor shall not hold the office of Chancellor of a University.

NEW DELHI;  
*November 7, 2005.*

MOHAN SINGH

## BILL NO. 138 OF 2005

*A Bill to provide for certain welfare measures for fishermen and for matters connected therewith or incidental thereto.*

BE it enacted by Parliament in the Fifty-sixth Year of the Republic of India as follows:—

1. (1) This Act may be called the Fishermen (Welfare) Act, 2005.

(2) It extends to the whole of India.

(3) It shall come into force at once.

2. In this Act, unless the context otherwise requires,—

(i) 'fishermen' means and includes any person who is engaged in fishing and fishing related works such as repairing, maintaining and manning boats, nets and other equipments used in fishing and peeling, drying and selling of fish;

Short title,  
extent and  
commencement.

Definition.

(ii) 'Fund' means the Fishermen Welfare Fund constituted under section 3 of this Act; and

(iii) 'prescribed' means prescribed by rules framed under this Act.

3. (1) The Central Government shall set up a Fund to be known as Fishermen Welfare Fund for the welfare of fishermen in the country.

Constitution of  
Fishermen  
Welfare Fund.

(2) The Central Government and every littoral State Government/Union territory administration shall contribute to the Fund in such ratio as may be prescribed.

(3) The Fund shall be administered by a Committee consisting of:—

(i) a Chairman who shall be appointed by the Central Government;

(ii) not more than one representative each from the littoral States/Union territories to be nominated by the respective State Government/Union Territory Administration;

(iii) not more than one representative from the littoral States/Union territories representing the fishermen who shall be nominated in such manner as may be prescribed.

(4) The terms and conditions of the appointment of Chairman and other members of the Committee shall be such as may be prescribed by the Central Government.

4. The Fund shall be used for the following purposes:—

Utilisation of  
the Fund.

(i) payment of unemployment/subsistence allowance to fishermen during off-season period;

(ii) providing free health facilities for the fishermen and their families;

(iii) providing free educational facilities to the children of fishermen;

(iv) payment of compensation to fishermen injured while fishing;

(v) payment of compensation to families of fishermen dying in harness.

(vi) payment of disability allowance to fishermen incapacitated due to accident while fishing;

(vii) payment of old age pension to fishermen who have attained the age of sixty years; and

(viii) payment of family pension to the next of kin including minor children of the deceased fishermen.

5. The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of the Act.

Power to make  
rules.

### STATEMENT OF OBJECTS AND REASONS

Millions of men and women throughout the length and breadth of the coastal areas are engaged in fishing and works related to it. Their living conditions are extremely poor, as they have to depend on the nature to venture into the sea leading to a situation where there is no work during the greater part of the year. Due to their extreme poverty, their children are not properly educated. No health care is available to them. By the time they reach the age of sixty they become physically unfit to work and are left on the mercy of others. Risk factor in their profession is also very high. It is the responsibility of the Government to provide minimum security and welfare for these people.

Hence this Bill.

NEW DELHI;  
November 8, 2005.

K. S. MANOJ

### FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for the setting up of a Fishermen Welfare Fund for the benefit of fishermen. It further provides that the Central Government shall also contribute to the Fund. Therefore, the Bill, if enacted, will involve expenditure from the Consolidated Fund of India. It is likely to involve a recurring expenditure of rupees one hundred crore per annum.

A non-recurring expenditure of rupees one hundred crore is also likely to be involved.

### MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 5 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

## BILL NO. 137 OF 2005

*A Bill to provide for certain welfare measures for petrol pump workers and for matters connected therewith.*

BE it enacted by Parliament in the Fifty-sixth Year of the Republic of India as follows:—

1. (1) This Act may be called the Petrol Pump Workers (Welfare) Act, 2005.

Short title,  
extent and  
commencement.

(2) It extends to the whole of India.

(3) It shall come into force at once.

2. In this Act, unless the context otherwise requires,—

Definitions.

(a) "Fund" means Petrol Pump Workers Welfare Fund constituted under section 3 of this Act;

(b) "petrol pump" means an outlet selling petrol, diesel, Liquefied Natural Gas, Liquid Petroleum Gas and Compressed Natural Gas;

(c) "prescribed" means prescribed by rules made under this Act;

(d) "worker" means any person who is engaged in any activity connected with the operation of the petrol pump.

Setting up of  
Petrol Pump  
Workers  
Welfare Fund.

3. (1) The Central Government shall set up a fund to be known as the Petrol Pump Workers Welfare Fund for the welfare of petrol pump workers in the country.

(2) The Central Government and every State Government/Union territory Administration shall contribute to the Fund in such ratio as may be prescribed.

(3) The owners of petrol pumps shall also contribute to the Fund in such proportion as may be prescribed by the Central Government.

Administration  
of Petrol Pump  
Workers  
Welfare Fund.

4. The Fund shall be administered by a Committee consisting of:—

(i) a Chairman who shall be appointed by the Central Government;

(ii) a member to represent the owners of the petrol pumps;

(iii) a member representing the workers; and

(iv) one representative each from all States/Union territories who shall be nominated by the respective State Government/Union territory Administration.

Utilisation of  
Fund.

5. The Fund shall be used for the following purposes, namely:—

(i) to provide free health facilities for the workers and their families;

(ii) to provide free educational facilities to the children of the workers;

(iii) to pay compensation to workers who are injured during the course of their duty;

(iv) to pay compensation to the next of the kin of workers who die in harness;

(v) to pay disability allowance to workers who are injured in accidents or contract ailments during the course of their duty and are not able to work;

(vi) to pay old age pension to those workers who have attained the age of sixty years;

(vii) to pay family pension to the family members after the death of a worker.

Power to make  
rules.

6. The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

### STATEMENT OF OBJECTS AND REASONS

Lakhs of workers are engaged in the work related to distribution/supply of Petrol, Diesel, Liquefied Natural Gas, Liquid Petroleum Gas and Compressed Natural Gas, etc. throughout the country but they are not covered under any labour laws. They are not paid even minimum wages which they deserve by virtue of their work. The condition of these workers is worse than the contract labourers. In the circumstances, provision of certain facilities to these workers during their service as well as in their old age is desirable.

Hence this Bill.

NEW DELHI;  
November 8, 2005.

K.S. MANOJ

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### FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for the setting up of a Petrol Pump Workers Welfare Fund for the welfare of petrol pump workers in the country. It further provides that Central Government shall also contribute to the fund. Clause 4 provides for the setting up of a Committee for administration of the Fund. The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India. It is likely to involve a recurring expenditure of about rupees one hundred crore per annum.

A non-recurring expenditure of about rupees one hundred crore per annum is also likely to be involved.

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### MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 6 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

## BILL NO. 140 OF 2005

*A Bill to provide for special educational facilities to children of parents living below poverty line throughout the country and for matters connected therewith.*

BE it enacted by Parliament in the Fifty-sixth Year of the Republic of India as follows:—

Short title,  
extent and  
commencement.

1. (1) This Act may be called the Children of Parents Living Below Poverty Line (Special Educational Facilities) Act, 2005.

(2) It extends to the whole of India.

(3) It shall come into force at once.

Definitions.

2. In this Act, unless the context otherwise requires,—

(i) "Government" means the Central Government;

(ii) "parents living below poverty line" means those parents whose monthly income from all sources is not more than rupees five thousand per month; and

(iii) "prescribed" means prescribed by rules made under this Act.

3. Notwithstanding anything contained in any other law for the time being in force, it shall be the duty of Government to provide free education upto the higher secondary level to every child born of parents living below poverty line.

Free education to children of parents living below poverty line.

Explanation.—For the purpose of this section, 'free education' means and includes:—

- (i) exemption from payment of fees including admission and tuition fees;
- (ii) provision of text books, note-books and writing materials free of cost;
- (iii) free uniform;
- (iv) free hostel and transportation facilities wherever necessary;
- (v) scholarship at the rate of rupees five hundred per month to every child;

and

- (vi) any other facilities as may be prescribed.

4. The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

Power to make rules.

## STATEMENT OF OBJECTS AND REASONS

Around forty per cent of the total population of our country lives below poverty line. Their income is so meagre that they have to struggle for survival throughout their lives. It is not possible for them to send their children to school and on the other hand it is also tempting for them to retain them for household works or send them for odd jobs to supplement the family income. Therefore, these children are deprived of their right to education. Though free and compulsory education is enshrined in the Constitution, these children are either not enrolled or drop out of school even after enrolment. The enrolment and retention of such children in schools is possible only by provision of basic necessities for education and incentives to the parents in the form of scholarships to their children. The Sarva Shiksha Abhiyan should be suitably modified to meet the requirements of children of parents living below poverty line.

Hence this Bill.

NEW DELHI;  
November 9, 2005

SURESH KURUP

## FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for free education and certain basic facilities like text books, note-books, writing materials free of cost, free uniforms, hostel, transport facility and scholarship to the children born of parents living below poverty line by the Central Government. The Bill, therefore, if enacted, will involve an expenditure from the Consolidated Fund of India. It is likely to involve an annual recurring expenditure of about rupees one hundred crore from the Consolidated Fund of India.

A non-recurring expenditure of about rupees one hundred crore is also likely to be involved.

## MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 4 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

P.D.T. ACHARY,  
*Secretary-General.*